

RECEIVED
USDC, WESTERN DISTRICT OF LA
TONY R. MOORE, CLERK
ALEXANDRIA, LOUISIANA
DATE 1/14/11
BY [Signature]

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

HENRY L. HYMES

CIVIL ACTION NO. 10-1167

VERSUS

JUDGE TRIMBLE

CITY OF NATCHITOCHES, ET AL.

MAGISTRATE JUDGE KIRK

J U D G M E N T

Before the court is a motion to dismiss¹ filed by defendants as to plaintiff's claims against defendants under La. R.S. 42:1169 and against defendant Mayor Wayne McCullen in his individual capacity under 42 U.S.C. § 1981. After careful review of the entire record in this case, including the report and recommendation of the magistrate judge² and the objections³ and responses thereto⁴ filed by the parties, the court finds that the recommendations of the magistrate judge are correct under applicable law and, accordingly, it is

ORDERED, ADJUDGED and DECREED that defendants' motion to dismiss is **GRANTED** for the reasons expressed in the report and recommendation previously issued by U.S. Magistrate Judge James D. Kirk. Accordingly, it is further

ORDERED, ADJUDGED and DECREED that plaintiff's claims against defendants under

¹R. 24.

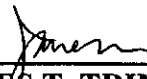
²R. 30.

³R. 31.

⁴R. 33.

La. R.S. 42:1169 and against defendant Mayor Wayne McCullen in his individual capacity under 42 U.S.C. § 1981 are **DISMISSED** with prejudice. All other claims asserted by plaintiff in the above-captioned suit are preserved for further proceedings consistent with this ruling.

THUS DONE AND SIGNED in chambers at Alexandria, Louisiana this 14th day of January, 2011.



JAMES T. TRIMBLE, JR.
UNITED STATES DISTRICT JUDGE